

SUMMARY SHEET
BOARD OF HEALTH AND ENVIRONMENTAL CONTROL
SEPTEMBER 8, 2005

_____ ACTION/DECISION

 X INFORMATION

- I. **TITLE:** Administrative and Consent Orders issued by Environmental Quality Control ("EQC").
- II. **SUBJECT:** Administrative and Consent Orders issued during the period July 1, 2005, through July 31, 2005.
- III. **FACTS:** For the period July 1, 2005 through July 31, 2005 EQC issued twenty-seven (27) Consent Orders with total assessed civil penalties in the amount of \$116,180. There were two (2) Administrative Orders placed in force during the reporting period with a total assessed penalty of \$4,367,591.52.

Unless otherwise specified, "Previous Orders" as listed in this report include orders issued by Environmental Quality Control programs within the last five (5) years.

<u>Bureau</u>	<u>Administrative Orders</u>	<u>Assessed Penalties</u>	<u>Consent Orders</u>	<u>Assessed Penalties</u>
Land & Waste Management				
Hazardous Waste	0	\$ 0	1	\$ 250.00
Solid Waste	0	0	0	0
UST Program	0	0	1	600.00
SUBTOTAL	0	0	2	\$ 850.00
Water*				
Drinking Water	0	\$ 0	6	\$ 9,205.00
Water Pollution	2	\$4,367,591.52	13	83,375.00
SUBTOTAL	2	\$4,367,591.52	19	\$ 92,580.00
<u>Air Quality</u>				
SUBTOTAL	0	\$ 0	6	\$ 22,750.00
TOTAL	2	\$4,367,591.52	27	\$ 116,180.00

***During the reporting period, Drinking Water Enforcement and Water Pollution Enforcement issued two (2) Joint Consent Orders. Each program was credited with one of the Joint Orders.**

ANALYSIS: Water Pollution Enforcement and Drinking Water Enforcement entered into two joint Consent Orders for violations of the South Carolina Pollution Control Act and the State Primary Drinking Water Regulations. The first Respondent, Namen Orangeburg, LLC of Florence, South Carolina, failed to obtain a permit prior to construction of a public water system and failed to obtain final approval prior to placing the public water system and the wastewater collection system into operation. The Respondent was assessed a civil penalty of \$4,900.00 for the drinking water violations and \$2,000.00 for violations of the Pollution Control Act for a total penalty of \$6,900.00. The second joint order was entered into with Respondent Patterson Land, Inc. of Hilton Head Island, South Carolina, for failure to obtain a construction permit prior to installing water and wastewater lines. The Respondent was assessed a civil penalty of \$2,400.00 for the drinking water violations and \$4,200.00 for violations of the Pollution Control Act for a total penalty of \$6,600.00. Both Respondents are currently working with the appropriate Bureau of Water permitting sections to obtain the necessary permits.

Water Pollution Enforcement issued two Administrative Orders against Respondent Piney Grove Utilities for failure to properly operate and maintain the wastewater treatment facility and wastewater collection system for the Lloywood Subdivision located in Lexington County, South Carolina. The Respondent was assessed a combined civil penalty of \$4,367,591.52. The Department is seeking to locate a receiver for the system, but until then it is continuing to pay for the day-to-day operations of the wastewater treatment facility.

Of the twenty-seven Consent Orders issued by EQC enforcement programs during the reporting period, twenty-six have either complied with the Order requirements or are currently in compliance with schedules required in those Orders.

Submitted by:

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Deputy Commissioner
Environmental Quality Control